

REMARKS

The Examiner's attention to the present application is noted with appreciation.

On page 2, paragraph 2 of the Office Action dated June 29, 2004, the Examiner rejected claims 1, 12, and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,320,164 (to Nicolas). Applicant respectfully disagrees with the Examiner's characterization (page 2, last paragraph) of what is disclosed by Nicolas. Claims 1, 12, and 25 of the present application recite a mirror affixed to a front sheet, the front sheet affixed to a core material, and a back sheet affixed to the surface of the core material opposite the front sheet. That stacked orientation of the structural panel (10) is depicted in Figure 1 of the present as follows: mirror (12), front sheet 14), core material (16), back sheet (18).

In the reference application cited by the Examiner (Example 4 of Nicolas) Nicolas describes a composite mirror with a plurality of sheet members (64). Each sheet member is in stacked orientation as follows: glass sheet (71), coating (72), plastic material (73), second glass sheet (74), adhesive (75), glass beads (76), settable material (77 (also 65)) (i.e., concrete poured onto the glass beads). Therefore, Nicolas does not describe the composite recited in claims 1, 12, and 25 of the present application comprising a core material sandwiched between a front sheet and a back sheet.

The present invention is distinguishable from that disclosed by Nicolas, which in fact teaches away from the present invention. Accordingly, claims 1, 12, and 25 are patentable.

On page 3, paragraph 1, the Examiner rejected claims 1, 2, 4-8, 10-16, 18-22, and 24-29 under 35 U.S.C. § 102(a) as being anticipated by Diver, "Sandwich Construction Solar Structural Facets". Section 102(a) prevents a patent from issuing if the invention was known or used by others in the United States or if the invention was patented or described in a printed publication before invention by the applicant. Applicant notes that because Applicant is an author of that referenced publication, the publication cannot have been made prior to invention by Applicant. Therefore, the publication cannot be cited as prior art under 29 under 35 U.S.C. § 102(a). Accordingly, claims 1, 2, 4-8, 10-16, 18-22, and 24-29 are patentable.

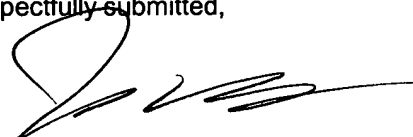
On page 5, paragraph 3, the Examiner rejected claims 3, 9, 17, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Diver. For the same reason presented above, Diver cannot be relied upon as prior art under 35 U.S.C. § 103(a). Accordingly, claims 3, 9, 17, and 23 are patentable.

In view of the above remarks, it is respectfully submitted that all grounds of rejection have been traversed. It is believed that the application is now in condition for allowance and same is respectfully requested.

If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Respectfully submitted,

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